

Draft Minutes
Trinity Adaptive Management Working Group
Victorian Inn, 1709 Main Street, Weaverville, CA

Monday March 10, 2008

The meeting was open to the public.

Start of meeting: 1:15 PM.

Attending members:

Member:	Representative Seat:
Arnold Whitridge (Chairman)	Safe Alternatives for Forest Environment
Ed Duggan	Willow Creek Community Service District
Richard Lorenz	Trinity County Resident
Byron Leydecker	Friends of Trinity River
Tom Weseloh	California Trout, Inc
James Feider	City of Redding Electric Utility Department
Tim Viel ¹	Natural Resources Conservation Service
Dana Hord	Big Bar Community Development Group
Pat Frost	Trinity County Resource Conservation District
David Steinhauser ²	Six Rivers Outfitter and Guide Association

¹ Alternate for Jim Spear.

² Arrived on day 2.

Members that did not attend:

Member:	Representative Seat:
Dan Haycox	Miners Alliance
Spreck Rosekrans	Environmental Defense

Designated Federal Officer: Randy Brown, Fish and Wildlife Service, Arcata, CA.

1. Adopt agenda and approval of minutes

Arnold Whitridge, chairman of the Trinity Adaptive Management Working Group (TAMWG), called the meeting to order. He discussed the agenda and made minor adjustments. They anticipated adding two items for discussion—carryover water in the Trinity Reservoir and a description of the Klamath Settlement.

Changes to January minutes.

No changes were suggested.

Ed Duggan made a motion to accept the January minutes.

The motion was seconded by Rich Lorenz.

The motion passed unanimously.

2. Open forum, public comment

No public comment was made at this time.

3. Statewide Watersheds Program

Dennis Bowker, of the Resources Agency of California, presented information on the Statewide Watersheds Program. This is a newly proposed watershed program that is being developed based on an existing successful program that is part of the CALFED program. Bowker passed out a handout describing the program outline (Attachment 1). Their mission statement is “To advance a sustainable watershed-based management of California’s natural resources through community-based strategies.” Bowker’s group began last fall to organize this new program. He is seeking input and responses regarding the formation of this program. There is a sense of urgency, as the framework for the program needs to be drafted by April 2008. The Conservation Agency is doing the administration for this program. Emails responses and communication can be sent to watershed@conservation.ca.gov. A website is at <http://www.conservation.ca.gov/>.

Bowker acknowledged that often, new programs often do little more than change their names and then continue “business as usual.” He noted that their program will be different in that it has special recognition of the value of building partnerships with local levels. The program will include a 24-person liaison committee, composed of two representatives from each of 10 regions and four members at-large. He acknowledged that many functions proposed for the Statewide Watersheds Program are currently being fulfilled, and that there may be questions about how this new program will add value to the existing array of state programs. Bowker gave an example of a problem by noting that the State Watershed Board deals with water quality and California Fish and Game deals with fish—but these two agencies don’t talk to each other very often. He seeks to integrate these programs.

Funding for the program comes from Prop 50, but the long-term funding has not been identified. They will support programs such as the Trinity, especially where it meets the objectives of the State—which should be 90 % of the time. There is still much to be worked out, such as a clear statement of the State’s interests, and long-term funding. He noted that the Trinity and Sacramento programs are the strongest programs and that they may be used to illustrate the success of watershed programs. One question from the TAMWG was whether the State’s interest would be to export water from the north part of the state to the south. Bowker responded that the interest of the State would be defined in

part by the diversity of local interests, but also acknowledged that these types of conflicts are a reality and this could happen.

4. Trinity River Restoration Program

Dave Gaeuman of the Trinity River Restoration Program (TRRP) talked about the development of the Trinity watershed program, noting there has been some reorganization. The TRRP has agreements with Trinity County Planning and Trinity County Resource Conservation District (RCD) and funds most watershed work through the RCD.

Responding to questions, Gaeuman cited recent examples of work as including culvert projects for fish access, sediment reduction, and plans to do work in the Lowden burn area in 2009. Gaeuman acknowledged that there is some “murkiness” to the issue of coordination and monitoring of the efforts, but he said the TRRP is monitoring how well projects are reducing sediment to the mainstem.

The issue of whether the TRRP should use dollars for reduction of sediments from lands along tributaries arose, especially if erosion were the result of poor land-use practices by other groups. Specifically it was asked why the BLM, Forest Service, or other landowners do not pay for RCD projects designed to reduce sediment from their lands. There was no answer to this question. Jim Feider next asked what criteria were being used for TRRP funding for watershed programs. Gaeuman responded that the criteria are taken from the implementation program. Feider stated that he would like a better understanding of the watershed program and would like to see the funding sources and priorities. Gaeuman asked Alex Cousins, the Watershed Coordinator, if he could provide a list later on that day.

Continuing the sediment discussion, Douglas Schluesner said that there are known areas that appear to be ready to release large amounts of sediment to the mainstem and that, in these cases, the TRRP will use their dollars even though BLM or others should seemingly fund it. The TRRP staff decides to spend dollars based on risks to the mainstem. Feider commented that this is fine, if the funds were either non-reimbursable or they could be repaid by BLM later. Tom Weseloh noted that the sediment problems in the mainstem are not entirely the result of poor land management, but it is also due to the Bureau of Reclamation’s dams that alter historic flow regimes and no longer allow incoming sediment to be flushed downstream to the ocean. He stated that he is also in full support of seeking out the other agencies in order to get them to do their jobs to reduce sediment and to pay for their share of these problems.

This problem of insufficient funding from Congress and the resultant inability of the land-based agencies to properly maintain their roads was considered a serious problem for the Trinity watershed. TAMWG members wondered how this message could be pushed and whether the Trinity Management Council (TMC) would be the ones to promote this issue to Congress. Tom Weseloh opined that to recover the Trinity River, the other agencies need to help and they need to have proper funding. The effort of the TRRP can be made easier if these agencies can be made to help. It was asked whether the TAMWG chair could convey this message in a letter to the TMC until more information is gained to make a motion.

At the end of the day, Alex Cousins, watershed council coordinator Trinity County RCD, passed out a budget for the watershed projects (Attachment 2). This budget showed the sources of funding of TRRP and other matching funds. The TRRP had funded \$600,000 and matching funds were \$302,000.

At this point, Item 8 was discussed before going onto Item 5.

5. FY 2009 TRRP Budget

Doug Schleusner, Executive Director of the TRRP, provided an update on the budget. The TRRP staff prepared a budget for the \$3 million additional funds and the TAMWG approved it. At the subsequent Trinity Management Council (TMC) meeting, it did not get the needed 7-to-1 super-majority of votes required to pass issues. As a result of this indecision, the budget is passed onto the regional representatives of the Fish and Wildlife Service and the Bureau of Reclamation for a decision. Schluesner anticipated that most of the funds will stay with the implementation portions as originally proposed. The main outstanding item was the habitat assessment. Schluesner next commented on the 2009 budget and noted that modifications are being made based on responses received on the first draft.

In the discussion that followed, TAMWG members expressed dissatisfaction that the budget decisions are being made by the agencies. Mike Long and Douglas Schluesner defended the process. Rich Lorenz noted that it appears that the TAMWG is becoming disenfranchised in the budget decisions. Mike Long responded that the process is that the TAMWG makes recommendations to the TMC, but when there is a conflict on the budget the agencies do have the final decision. Byron Leydecker agreed with Lorenz and he said it appears that the Fish and Wildlife is moving away from the program.

Schluesner supported Long's position—that when there is conflict, the two agencies resolve the impasse. Leydecker noted his concern that the Fish and Wildlife Service is “supplanting” the program staff and this contradicts the ROD. Long said the Department of the Interior is responsible for the TRRP program and that the agency is only meeting its responsibilities. Tom Weseloh supported Leydecker and Lorenz and stated that he hoped this step is really “interim” and hoped that the budget doesn't have to go to the Secretary of Interior.

Weseloh thought the TMC “micro-manages” the budget in trying to implement its will and that the hold up is over a relatively small amount of funds. Ed Duggan also commented that he “has a problem” with the way the budget is going. He noted that much effort is put in during committee meetings, but it ends up in a two-agency process. He interprets this as the TMC telling TAMWG that they didn't do it right and now it has to be done all over again. Douglas Schluesner responded that it really isn't as “broken” as Duggan suggests. He noted that in one prior instance, the regional agency representatives had to intervene and this resulted in a very small change in order to get around a lack of the 7-vote majority. He thinks the changes to this budget will be minor and he is more concerned with the budget being passed in a timely manner. Arnold Whitridge noted that the TAMWG has made its recommendations and he expects that the recommendations will likely be followed, and that the process is working—although, in an odd way.

Leydecker said he agrees with Whitridge's assessment of the overall picture. Still Leydecker was concerned with this "bifurcation" of the program. He disagreed with Mike Long that the Fish & Wildlife Service must be "accountable for the funds. He said "The Program is accountable for funds designated for it, including funds from state bond funds and other sources, including Fish & Wildlife. Just take a look at the Program's Organizational Chart."

Arnold Whitridge asked if there was any proposed a message that should be delivered to the TMC. Tom Weseloh offered a summary of the situation as the TAMWG being relatively happy with the budget end result, but the process causes them concern. The concerns were over the two agencies needing to discuss the budget it before going to the TMC and the small dollar amounts that are being wrangled.

Jim Feider agreed on both points and noted that the roles and responsibility effort may hopefully address issues such as this. There seemed to be general agreement that this budget process marginalizes the TAMWG. This prompted a suggestion that the TMC change their requirement for a super-majority vote and use instead a simple-majority vote. Since there is an ongoing assessment of the roles and responsibility of the TMC, it was decided to wait and see what recommendations might come out of that process. There was no formal message drafted, but the TAMWG members said they trusted their Chairperson to carry these ideas forward to the TMC.

6. Executive Director's Report

Doug Schleusner, Executive Director of the TRRP, presented highlights of the TRRP program since the last TAMWG meeting. He noted Ed Solbos, RIG Branch Chief, retires on May 4. They have found a replacement that will come on in March 31. Rich Lorenz noted his appreciation in having TAMWG members as part of the interviewing process for the new engineer. Joe Reiss another staff engineer has announced his acceptance of a new job offer. John Klochak will help out with the RIG for the next 90 days. The kiosk project, a multi-agency information display to be located at the hatchery, is going very nicely and will be ready by May 31. The Lewiston-Dark Gulch project is on schedule. The Regional Water Quality Control Board has agreed to be the CEQA lead for the master EIS for Phase 2 projects. They are working with scheduling issues for meeting for the Integrated Assessment Program.

7. Designated Federal Officer Topics

Randy Brown, Designated Federal Officer, gave an update on progress of the renewal of the charter and membership. He noted a response date of March 21 for the applications for new TAMWG memberships. He wasn't certain if many of the newspapers carried the announcement seeking membership applications. They have received four nominations and two other expressions of interest. One of the nominations is for a new members and three are for alternates for current members. Not all current members have responded to Brown about their intention to renew their memberships.

The meeting adjourned for the day.

The meeting was resumed Tuesday, March 11 at 8:40 AM.

8. Trinity River Flow Schedule for 2008

This item was discussed on Monday March 10 following item 4. Rod Wittler of the TRRP gave a PowerPoint presentation and explained plans for the high-release flows this spring. There is no apparent need for fall pulsed flows as the expected returns do not look to be high nor does it look to be dry. He reported that this year is developing into a “normal” water year with slightly higher snow accumulations. Based on a normal year, the spring hydrograph will have maximum releases of 6,000 cubic feet per second (cfs). They are considering modifying the descending limb and “benches” (periods of constant flow). The modifications could free up some water and modifications may help frogs, seedling establishment on floodplains, and to aid management activities on the river. Wittler noted that there will likely maintain the 2,000 cfs bench that provides appropriate river water temperatures to aid smolt growth. The fish counting groups have asked for 4,000 cfs bench to calibrate the screw traps at that level and they have asked that flows be reduced to 700 cfs by July 14 in order to set up weirs for spring chinook counts. The water year determination will be made by early April and decisions on flow will be made by April 9.

There were questions about what we know about the real benefits of the 2,000 cfs bench—were these having the intended effects on the juvenile fish? Wittler responded that they did not know yet. There are questions about how long the juveniles stay in the river and the researchers want to keep the bench in order to continue their studies to understand its effects on the out migrating smolts.

Flow Carry-over Storage in the Trinity Reservoir

This topic was added in to the agenda as a discussion item. Tom Stokely, Trinity County Planning Department, passed out a draft white paper on his analysis of cold water carryover storage and its effects on temperature in the Trinity River. “Carryover storage” is defined to be the volume of water in Trinity Reservoir at September 30.

There are restrictions on water allocated for fisheries restoration by the Record of Decision (ROD) for a specific year—water cannot be saved and stored in the reservoir to be used in during the next year. Stokely wanted to provide information on these issues for the benefit of the TAMWG and he passed out a draft of a manuscript that describes his findings (Attachment 3).

Stokely explained that his results come from modeling of water temperatures in the river that was done as part of the Environmental Impact Statement and from observations during past low flow years. His results suggest that export of water to the Central Valley that drives carryover storage below 600,000 acre-feet in Trinity Reservoir will result in high river temperatures the next year. The drawdowns of water in both the Trinity and Shasta Reservoirs were particularly large this year. Stokely noted this suggests that 2007 exports may not be in compliance with the reductions in exports required by the ROD. While a natural solution would appear to require insistence on a reduction of the exports to the Central Valley, Stokely said that such a solution is unlikely as this is “beyond the capabilities of the TRRP.” The situation is further

exacerbated by the prohibition of ROD water in a wet year being stored or carried over from one year to the next. Stokely noted that new rules are being considered as part of the rewriting of the CVP OCAP and it's Biological Opinion. This rewrite may provide an opportunity for the non-carry over clause of the Trinity to be removed, clarify the reductions in export amounts, and increase the low water storage amounts in Trinity Reservoir.

Jim Feider suggested they invite the Bureau of Reclamation central operations office to explain last year's exports and explain why are we in a low carryover storage situation this year. It was requested that the chair write a letter and make this request.

It was asked why the ROD doesn't allow carryover water from one year to the next? Rod Wittler explained that during the flow studies, the notion of "permanent" volumes was important and was imposed upon them by agency attorneys and the legislative language. These were interpreted to allow no carryover storage. The legislative language that seemed to be the basis of this is the CVPIA in 1992.

Tom Weseloh made a motion that TAMWG recommend the TMC explore ROD options for carryover water from year to year.

Rich Lorenz seconded.

Motion passed unanimously.

9. Interactions between wild and hatchery fish

Nina Hemphill of the TRRP gave an update on interactions between wild and hatchery fish. She passed out a handout taken from the website of the National Marine Fisheries Service's Northwest Fisheries Science Center of frequently asked questions about hatcheries (Attachment 4). She noted that the purpose of the hatchery in the Trinity was to mitigate for lost fisheries habitat in the upper river because of the construction of the Trinity and Lewiston Dams.

She explained some of the risks hatchery produced fish pose to wild fish populations. Hatchery fish can carry diseases. Hatchery fish often lack selection pressures (they are not continually adapting to river conditions for redd selection or juveniles in hatcheries don't set up territorial behavior). Also, released juveniles from hatcheries are bigger than natural fish and compete aggressively with wild fish. Hatchery steelhead are predators of the smaller, wild juveniles. Hatchery fish encourage increased sport-fishing pressure. Hatchery fish can overwhelm and push wild fish out of rearing habitat when the proportions of hatchery to wild fish are large.

The issue of tagging hatchery fish was discussed. Only 25 % of chinook salmon, but 100 % of the steelhead and coho salmon, are marked in the Trinity. It is too expensive to mark all chinook because marked fish are also coded-wire tagged. The tagging is used to assess populations.

Arnold Whitridge noted that these are "potential" concerns and asked if there are efforts to assess how these concerns may be operating in the Trinity. Hemphill described some of the efforts underway such as radio tagging, snorkeling surveys. She cited some

behavior or movement changes of wild fish in response to hatchery releases, but there were no clear conclusions yet.

Tom Weseloh asked how much do we need to “redo” other basic research in order to know that hatcheries have detrimental effects in the Trinity. Hemphill said this was being discussed in the committee meetings. There is little support to change steelhead management but there is some support for decrease releases for coho.

Weseloh noted he is supportive of addressing changes to steelhead releases. He noted that the current ratio of hatchery and wild returning steelhead are inverted from what the objectives state. Today there are 40,000 hatchery steelhead and only 10,000 wild fish while the stated goals of the program are 10,000 hatchery and 40,000 wild. Byron Leydecker asked how the members of the committee can ignore the mountainous body of science all of which concludes there are detrimental impacts of hatchery fish upon wild fish. Weseloh reiterated the long list of hatchery impacts including but not limited to: competition (food, rearing space, spawning, etc.), predation, disease transmission, behavioral changes, residualization, fitness and alteration of fishing patterns.

Hemphill noted there are issues of compiling information and they have to consult with the California Department of Fish and Game regarding operations at the hatchery. Douglas Schluesner noted the focus of the program is flow and habitat and not hatchery management. Rich Lorenz asked why not release smaller hatchery fish. Hemphill responded that these are good ideas but the hatchery has limited time and money. Leydecker noted the TMC should make request to Mike Chrisman, Secretary of the California Resources Agency, since the Resources Agency is the official representative of the State of California on the TMC. He could then direct appropriate staff to work with the hatchery to take necessary action to reduce production. Leydecker asked, “Why can’t we try to meet the objectives of the EIS which is to achieve pre-dam populations of wild fish and wildlife?”

Rich Lorenz noted that he could not support a major drop in releases of hatchery fish, but that any adjustments should be done over time. Leydecker agreed that reduction in Hatchery production should occur over time, and said TAMWG did not need to state a number, but that there should be “movement toward” the goals.

Byron Leydecker made a motion that the TAMWG requests the TMC to communicate and to interact with the California Secretary of Resources, Mike Chrisman, to direct the Trinity River Hatchery take actions to move it toward adherence with the established objectives of annual escapement of hatchery-produced, adult steelhead to the Trinity River.

Tom Weseloh seconded.

The motion passed unanimously.

Rich Lorenz in supporting this motion, wanted to note that he is, “in no way,” supportive of eliminating the hatchery. Leydecker stated that he agreed with Lorenz.

10. Gravel management calculations and estimates

Dave Gaeuman of the TRRP addressed a question of how volumes of gravel “injections” to the river are determined. Byron Leydecker wanted to make sure the Trinity River doesn’t become the “Trinity aquifer” if too much gravel is added. Gaeuman talked about some of the issues he has to consider—particularly transport rates by the river. He is continuing to adjust his numbers and noted that they will need to watch what happens with the additions over time. Leydecker noted that he did not like the original gravel management plan that was prepared by McBain and Trush. Gaeuman said he does not rely on it, and that they are updating their own calculations.

Douglas Schleusner noted that many of the original calculations of the flow study had much less data to with which to work. The basic concepts have not changed but they now have more data to refine estimates.

Jim Feider asked about the volume of 10,000 cubic yards. This would be 1,000 dump trucks and is planned to be added to the river every year. They are planning to use a large conveyor belt to help with injection. There are minor remaining issues about the actual maximum diameter that they are sorting out.

Klamath River Restoration Agreement

Irma Lagomarsino, National Marine Fisheries Services (NMFS) Arcata Office, gave a summary of the Proposed Klamath River Agreement. This is a draft restoration agreement that was released mid January. She passed out a summary of the restoration agreement (Attachment 5). She noted that this agreement is very complex and is one of the most ambitious river restoration programs proposed. There are ongoing discussions about removing four dams with Pacific Corp that are not yet complete, and this proposed agreement presumes that the dams will be removed.

She described several of programs of the document—water projects, fisheries, tribal, power, governance, and ESA assurances. The water program is the largest portion of the document. They negotiated a reduction in water demand during dry years and have gotten 13 of the 15 water districts to state they will support the agreement. They also got the “off project” water users of the Klamath basin to come to the negotiations. They have built in a drought plan and a climate change piece. Fisheries program includes habitat restoration, reintroduction of species such as spring run chinook, monitoring for status and trends, and a coordinating funding element. The tribal program addresses tribal revitalization. The power program includes short-term relief from proposed increased power rates and integrates a rate program. A county program address changes in property values with dam removal and adverse affects on fisheries. ESA assurances address regulatory issues of introducing fish that potentially could turn out to be listed species.

This settlement is different from the traditional FERC dam relicensing process. There was a biological opinion released on the use of ladders to get fish to pass the dams. However, the final EIS ended up choosing trapping fish and hauling by trucks as a preferred fish-passage option. The commission has not made a decision. The final certifications will take two years. She noted that this Klamath River Agreement is a “FERC plus” process in that it address many more issues than the FERC does.

She believes that they have a “stable” document. There will be another meeting next April to assess support. Jim Feider asked how issue of the loss of a carbon-free-emission source may be addressed. Lagomarsino noted that this is a loss, but there are other environmental impacts of the dam and they hope that Pacific Corp will see this as a good “business decision” for the community. Arnold Whitridge wanted to know whether NFMS endorses the agreement. She said they are very enthusiastic but she did not know the official position until it is decided by the administration. She noted she was “shocked” over the level of cooperation among the federal agencies in working on this and that they are “lined up” in agreement over it.

Whitridge asked when funding starts for the Klamath Settlement, if the funds for the Trinity may begin to dry up. Lagomarsino said, short of an “act of Congress,” Trinity money cannot go to the Klamath. Whitridge pointed out that the agreement is likely to be approved by Congress and, therefore, it could be an “act of Congress.” She said it is not the intent to take money from the Trinity, but acknowledged that reallocation of funds may occur from some programs that currently eligible to be used for the Trinity.

11. Recommendations to the Trinity Management Council

Whitridge noted that he could communicate the issues of this meeting to the TMC. The mediator report on the roles and responsibilities will likely force them to discuss a variety of issues.

12. Tentative date and agenda topics for next meeting

A Monday-Tuesday, two-day meeting format was popular for most TAMWG attendees. June 9 and 10 were listed as dates for the next meeting. Topics to be included on the agenda were a Bureau of Reclamation presentation on flows, the mediator report, and a fish count update.

Fish numbers summary

Wade Sinnen was present and was able to cite data on fish numbers at this time. Fall chinook spawning returns to the entire Klamath basin did not reach their minimum objective of 35,000 in-river spawning for the last three years, but they exceeded this “floor” with a large spawning population of 59,000 fall chinook this year.

The total fall chinook return to the Klamath arrived late but was 132,000—slightly above the long-term average. The bad news is that the return population had a small 2-year component. This mirrors the problems of Sacramento. During recent meetings in Santa Rosa, it was illustrated that many stocks are down on west coast. This is a dire situation and means likely restricted ocean fishing seasons. Steelhead returns to the Trinity River were great this past year. Final counts show 40,000 returning adult hatchery steelhead. The returns of coho were down at 5,500. Spring chinook are up from last year, but this is a heavily hatchery-supported run. The in-river harvests were down: 6,000 sport fishing harvest, down from their allocation of 10,000, and 27,000 tribal harvests, down from their allocation of 40,000.

Annual reports on population estimates will be available April or May.

Meeting was adjourned.

LIST OF MOTIONS

Ed Duggan made a motion to accept the January minutes.

The motion was seconded by Rich Lorenz.

The motion passed unanimously.

Tom Weseloh made a motion that TAMWG recommends that the TMC explore ROD options for carryover water from year to year.

Rich Lorenz seconded.

Motion passed unanimously.

Byron Leydecker made a motion that TAMWG requests the TMC to communicate with and to interact with the California Secretary of Resources, Mike Chrisman, to direct the Trinity River Hatchery take actions to move it toward adherence with the established objectives of annual escapement of hatchery-produced, adult steelhead to the Trinity River.

Tom Weseloh seconded.

The motion passed unanimously.

LIST OF ATTACHMENTS

Attachment 1: Program Development Outline for the Statewide Watershed Program. Passed out by Dennis Bowker.

Attachment 2: Budget for watershed projects. Passed out by Alex Cousins, Trinity Watershed Council Coordinator.

Attachment 3: The role of cold water carryover storage in meeting Trinity River restoration program fishery restoration goals. Draft of a white paper by Tom Stokely, 3/10/08.

Attachment 4: Frequently asked questions: Salmon hatchery questions & answers. Copy of website material from the National Marine Fisheries Northwest Fisheries Science Center, passed out by Nina Hemphill.

Attachment 5: Summary of the Klamath Basin restoration agreement. January 15, 2008. Passed out by Irma Lagomarsino.

OTHER DOCUMENTS

Letter to Mike Long, Chair of the Trinity Management Council, regarding the TAMWG recommendations on the additional \$3 million for the Trinity River Restoration Program. From Arnold Whitridge, TAMWG chair. January 23, 2008.

